

REMARKS

Claims 1, 5, 6 and 8-11 are pending. Claims 1 and 10 are the only independent claims.

Claims 1, 5, 6 and 10 were rejected under 35 U.S.C. § 103 over U.S. Patent U.S. Patent 4,826,274 (Diamantstein et al.) in view of U.S. Patent 6,628,441 (Staiger) and further in view of U.S. Patent 5,963,349 (Norte). Claims 8, 9 and 11 were rejected under 35 U.S.C. § 103 over Diamantstein et al. and Staiger in view of Norte and further in view of U.S. Patent 6,304,357 (Ohhata et al.). Applicant submits that independent claims 1 and 10 are patentable for at least the following reasons.

Claim 1 is directed to an optical data bus communication system of an artificial satellite. The system comprises: a plurality of first devices, each of which is equipped with an optical transmitter each transmitter transmitting signals of a differing wavelength; a reflection means that is provided on the entire inner surface of, or at prescribed locations inside, the case of the artificial satellite; and a plurality of second devices, each of which is equipped with an optical receiver that receives optical signals that are transmitted from the optical transmitters both directly and after reflection and diffusing by the reflection means, each receiver receiving optical signals of a different wavelength and reproducing the optical signals from these received signals.

In the Office Action, the position was taken that the primary reference Diamantstein, is relied upon in the rejection of claim 1 as teaching, among other things, “an optical data bus communication system of an artificial satellite,” and “a reflection means . . . that is provided on the entire inner surface of, or at prescribed locations inside, the case of the artificial satellite.” This is incorrect.

To support a prima facie case of obviousness requires, among other things, that each and every limitation of the claim in question be taught or suggested by the cited prior art references. Moreover, each term of the claim must be accorded patentable weight. Failure to accord such weight is totally improper and amounts to examining the “gist” of the claimed invention.

In fact, Diamantstein utterly fails to teach or suggest either “an optical data bus communication system of an artificial satellite,” or “a reflection means . . . that is provided on the entire inner surface of, or at prescribed locations inside, the case of the artificial satellite.” A review of Diamantstein shows that the teachings of that patent do not relate in any way to an artificial satellite. First, the optical coupling described in Diamantstein is *not* resident in an artificial satellite, nor is it designed to be. In fact, the term “satellite” does not appear in the Diamantstein patent. Thus, Diamantstein cannot teach “an optical data bus communication system of an artificial satellite,” as the Office Action alleges.

Second, the reflection means of claim 1 is explicitly recited as being “provided on the entire inner surface of, or at prescribed locations inside, the case of the artificial satellite.” This feature is not taught or suggested in Diamantstein, which never even mentions artificial satellites. Moreover, this limitation is *not* merely a use limitation and clearly relates to structure and must therefore be accorded patentable weight in examination.

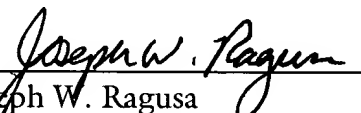
For at least the foregoing reasons, the Office Action is simply incorrect in saying that Diamantstein teaches the limitations for which it has been relied upon, since it contains no such teachings. Since the Office Action relied upon Diamantstein to teach the above-mentioned limitations of claim 1, the rejection fails to set forth a prima facie case of obviousness and is untenable. Claim 10 is a corresponding method claim that recites similar features and is believed patentable for similar reasons.

The other claims in this application are each dependent from one or the other of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing remarks, Applicant respectfully requests favorable reconsideration and passage to issuance of the present application.

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Respectfully submitted,

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